

ORDER

CCG-2

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION

EARL JEROME MALRY,

Plaintiff,

vs.

THE PEOPLES GAS LIGHT AND COKE
COMPANY,

Defendant.

Case No.: 04 CH 13911

PROPOSED ORDER

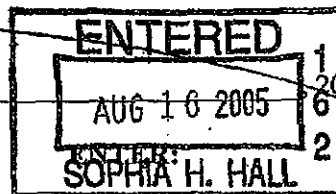
THIS CAUSE coming on to be heard on Defendant's Motion to Release Funds in the amount of \$27,317.73 by the Clerk of the Circuit Court and to Enforce Order of August 26, 2004; the Defendant being present and represented by its Counsel, Plaintiff being present and represented by Counsel, the Court having heard the arguments of Counsel and being fully advised finds as follows:

1. Plaintiff has posted bond with the Clerk of the Court in the amount of \$27,317.73;
2. The Plaintiff's Motion and Complaint were stricken and dismissed by Court Order on October 28, 2004 as the court found that Plaintiff had an adequate remedy at law before the Illinois Commerce Commission;
3. Plaintiff's Complaint filed before the Illinois Commerce Commission under Docket No. 04-0577 has been dismissed and the Plaintiff's application for rehearing was denied on June 7, 2005.

IT IS HEREBY ORDERED THAT:

1. Upon presentment of this Order, the Clerk of the Circuit Court is directed to immediately pay over to The Peoples Gas Light and Coke Company the \$27,317.72 posted by Plaintiff on August 26, 2004 under receipt number 62800;

2. Defendant is permitted to return the gas account to the status quo prior to the payment of the bond amount and reinstate the past due amount of \$27,317.73 including all monthly delayed payment charges, (1½% percent monthly), pursuant to 83 Ill. Admin. Code 280.90 that have accrued between August, 2004 and the date of this order, and resume any collection and termination efforts as allowed by the governing rules and regulations to the Illinois Commerce Commission.



Judge

Dated: _____, 2005

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DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY